

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

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MIDDLE DISTRICT OF FLORIDA  
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

SAMI AMIN AL-ARIAN,  
SAMEEH HAMMOUDEH,  
GHASSAN ZAYED BALLUT,  
HATIM NAJI FARIZ

CASE NO.: 8:03-CR-77-T-30-TBM

**MOTION OF THE UNITED STATES FOR  
ORAL ARGUMENT IN CONNECTION WITH  
ITS MOTION FOR RECONSIDERATION OF  
THE COURT'S ORDER REGARDING THE  
SCIENTER REQUIREMENT FOR  
TITLE 18, UNITED STATES CODE, SECTION 2339B**

The United States of America by Paul I. Perez, United States Attorney, Middle District of Florida, moves this Honorable Court for an order scheduling oral argument on the above-referenced motion, and in support thereof, states as follows:

1. On April 26, 2004, the United States filed a Motion for Reconsideration of the Court's March 12, 2004, order regarding the scienter requirements of Title 18, United States Code, Section 2339B. The motion was accompanied by a twenty-one page memorandum of law. Due to inadvertence, the United States did not include a request for oral argument in that motion.

2. On May 20, 2004, defendants Fariz and Al-Arian filed separate responses to the motion totaling twenty-eight pages.

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3. The subject matter of the motion involves several novel and complex issues, including some with constitutional dimensions. We are of the view that given the novelty and complexity of the issues presented by our motion, the Court would benefit from oral argument.

4. It is estimated that the Court should allow approximately thirty minutes per side for oral argument.

5. This motion is submitted pursuant to Middle District of Florida Local Rule 3.01(d).

WHEREFORE, for the forgoing reasons, the United States requests that the Court grant this motion.

Respectfully submitted,

PAUL I. PEREZ  
United States Attorney

By:

  
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( ) CERTIFICATE OF SERVICE ( )

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent  
by U.S. Mail this 1<sup>ST</sup> day of JUNE, 2004, to the following:

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